





**ZON03-00066**





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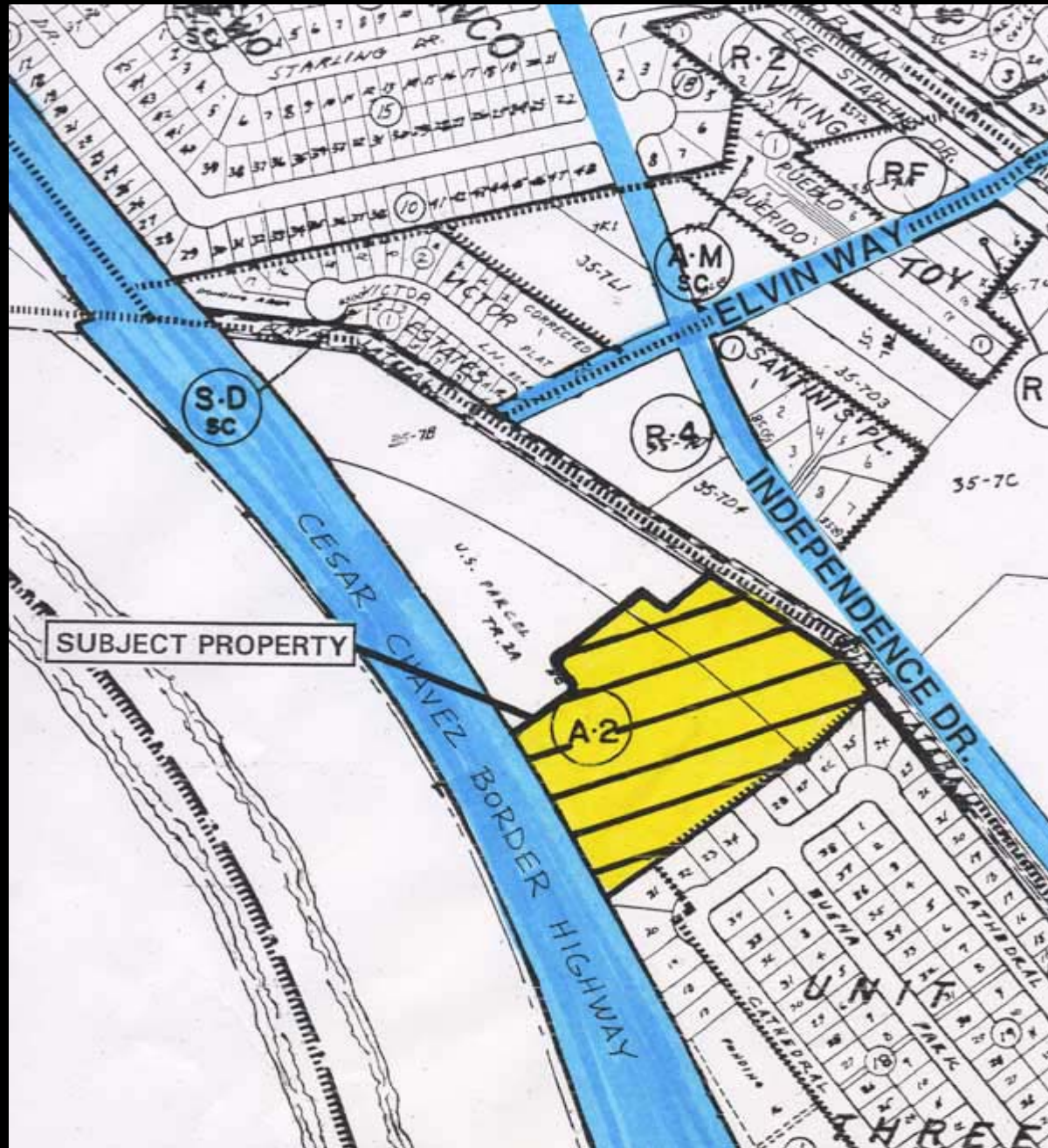




**ZON03-00066**









ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON03-00066, TO ALLOW FOR A PLANNED RESIDENTIAL DEVELOPMENT ON A PORTION OF TRACT 7B, BLOCK 35, YSLETA GRANT AND A PORTION OF TRACT 2A, U.S. PARCEL NO. 10, EL PASO, EL PASO COUNTY, TEXAS (WEST OF INDEPENDENCE DRIVE AND EAST OF LOOP 375) PURSUANT TO SECTION 20.22.040 (ZONING) OF THE EL PASO MUNICIPAL CODE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.

WHEREAS, **Tropicana Homes Inc.** has applied for a Special Permit under Section 20.22.040 of the El Paso Municipal Code, to allow for a planned residential development;

WHEREAS, a report was made to the City Plan Commission and a public hearing was held regarding such application;

WHEREAS, the City Plan Commission has recommended approval of the subject Special Permit; and

WHEREAS, the subject Special Permit has been submitted to the City Council of the City of El Paso for review and approval;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the property described as follows is in an **A-2 (Apartment)** District:

*A portion of Tract 7B, Block 35, Ysleta Grant and a portion of Tract 2A, U.S. Parcel No. 10, El Paso, El Paso County, Texas, as more particularly described by metes and bounds in the attached Exhibit "A"; and*

2. That a planned residential development is authorized by Special Permit in **A-2 (Apartment)** districts under Section 20.22.040 of the El Paso Municipal Code; and

3. That the requirements for a planned residential development under Section 20.22.040 have been satisfied; and

4. That the City Council hereby grants a Special Permit under Section 20.22.040 of the El Paso Municipal Code, to allow a planned residential development on the above-described property; and



5. That this Special Permit is issued subject to the development standards in the **A-2 (Apartment)** district regulations and subject to the approved Site Development Plan, signed by the Applicant, the Mayor and the Executive Secretary to the City Plan Commission. A copy of this plan is attached hereto as Exhibit "B" and incorporated herein by reference for all purposes; and

6. That the Applicant shall sign an Agreement incorporating the requirements of this Ordinance. Such Agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued; and

7. That if the Applicant fails to comply with any of the requirements of this Ordinance, **Special Permit No. ZON03-00066** shall automatically terminate, and construction shall stop or occupancy shall be discontinued, until any such violation ceases.

PASSED AND APPROVED this **20<sup>th</sup>** day of **April, 2004**.

THE CITY OF EL PASO

\_\_\_\_\_  
Joe Wardy  
Mayor

ATTEST:

\_\_\_\_\_  
Richarda Duffy Momsen  
City Clerk

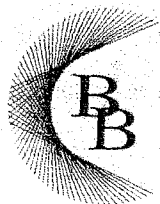
APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
Fred Lopez, Zoning Coordinator  
Planning, Research & Development

  
\_\_\_\_\_  
Rodolfo Valdez, Chief Urban Planner  
Planning, Research & Development



# Exhibit "A"



**BROCK & BUSTILLOS INC.**

CONSULTING ENGINEERS  
LAND SURVEYORS  
(formerly Faught & Associates)

ROMAN BUSTILLOS, P.E.  
President

RANDY P. BROCK, P.E.  
Executive Vice President

OSCAR V. PEREZ  
Vice President

ISAAC CAMACHO, P.E., R.P.L.S.  
Survey Manager

## Description of a 7.532 Acre Tract

A tract of land situate within the corporate limits of the City of El Paso, El Paso County, Texas as a portion of Tract 7B, Block 35, Ysleta Grant and a portion of Tract 2A, U.S. Parcel No. 10, and being more particularly described as follows, to wit:

COMMENCING for reference at a city monument found at the intersection of the centerline of Cathedral Circle and the centerline of Buena Vista Park Drive, whence a city monument found at the centerline point of intersection of Buena Vista Park Drive bears South  $40^{\circ}21'35''$  East (Basis of Bearing), 1075.01 feet;

**THENCE**, leaving the centerline of Cathedral Circle and following the centerline of Buena Vista Park Drive, North  $40^{\circ}21'35''$  West, 130.00 feet, to the westerly boundary line of Capistrano Park Unit Three, as recorded in Book 37, Page 22, of the El Paso County Plat Records, for the **POINT OF BEGINNING** of the tract herein described;

**THENCE**, leaving the centerline of Buena Vista Park Drive and following the westerly boundary line of Capistrano Park Unit Three, South  $49^{\circ}38'25''$  West, 361.23 feet to the northerly right-of-way line of Loop 375 (Cesar Chavez Border Highway) for the most southerly corner of the tract herein described;

**THENCE**, leaving the westerly boundary line of said Capistrano Park Unit Three and following the northerly right-of-way line of Loop 375, North  $30^{\circ}58'06''$  West, 244.41 feet to an angle point;

**THENCE**, continuing along the northerly right-of-way line of Loop 375, North  $33^{\circ}12'06''$  West, 184.41 feet to the most westerly corner of the tract herein described;

**THENCE**, leaving the northerly right-of-way line of Loop 375, North  $56^{\circ}47'54''$  East, 161.33 feet to an angle point;

**THENCE** North  $49^{\circ}38'25''$  East, 13.59 feet to a point of curvature;

**THENCE**, following the arc of a curve to the right having a radius of 20.00 feet, a central angle of  $97^{\circ}09'29''$ , an arc length of 33.91, and whose long chord bears North  $81^{\circ}46'51''$  West, 29.99 feet to a point of tangency;

**THENCE** North  $33^{\circ}12'06''$  West, 77.30 feet to an angle point;

**THENCE** North  $49^{\circ}38'25''$  East, 288.18 feet, to an angle point;

**THENCE** South  $59^{\circ}20'21''$  East, 76.86 feet to an angle point;



**THENCE** North 30°39'39" East, 152.00 feet to the southerly right-of-way line of the Playa Lateral Canal for the northwest corner of the tract herein described;

**THENCE**, following the southerly right-of-way line of the Playa Lateral Canal, South 59°20'21" East, 87.62 feet to an angle point;

**THENCE**, continuing along the southerly right-of-way line of the Playa Lateral Canal, South 56°21'21" East, 86.10 feet to an angle point;

**THENCE**, continuing along the southerly right-of-way line of the Playa Lateral Canal, South 46°39'21" East, 293.77 feet to the northeast corner of the tract herein described;

**THENCE**, leaving the southerly right-of-way line of the Playa Lateral Canal and following the westerly boundary line of Capistrano Park Unit Three, South 41°13'56" West, 235.00 feet to an angle point;

**THENCE**, continuing along the westerly boundary line of Capistrano Park Unit Three, North 42°58'56" West, 14.58 feet, to an angle point;

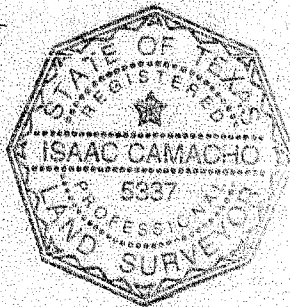
**THENCE**, continuing along the westerly boundary line of Capistrano Park Unit Three, South 49°38'25" West, 156.20 feet to the **POINT OF BEGINNING**;

Said tract containing 7.532 acres, more or less, and being subject to easements of record.

Isaac Camacho  
Isaac Camacho, R.P.L.S. No TX 5337

03/17/04  
Date

6425-35A





## AGREEMENT

**Tropicana Homes Inc.**, the Applicant referred to in the above Ordinance, hereby agrees to develop the above-described property in accordance with the approved Site Development Plan and in accordance with the standards identified in the **A-2 (Apartment)** District regulations, and subject to all other requirements set forth in this Ordinance.

**EXECUTED** this 25<sup>th</sup> day of March, 2004.

By: *R.L. Bowling III*  
President  
(name/title)

### Acknowledgment

THE STATE OF TEXAS     )  
  )  
COUNTY OF EL PASO     )

This instrument is acknowledged before me on this 25<sup>th</sup> day of March, 2004, by R.L. Bowling III as President, on behalf of **Tropicana Homes Inc.**, as Applicant.

My Commission Expires: May 28, 2007

*Anthony M. Willis*  
Notary Public, State of Texas

Notary's Printed or Typed Name:

Anthony M. Willis

